REMARKS

Claims 1, 3-5, 7, 9, 10, and 12 are pending. Claims 14 -18 are new.

The rejection of claims 1, 3-5, 7, 9, 10, and 12 under 35 U.S.C. 102(b) as being anticipated by Galer is respectfully traversed.

Claim 1 recites a window assembly having a window opening. A flange is attached to a lower region of the window. The flange is substantially parallel to a bottom edge of the opening. The flange includes a central region and outer regions. The central region is at an elevation (i.e., height) equal to or higher than the bottom edge of the opening along its entire width for preventing contact between cargo extending through the opening of the bottom edge of the window. The outer portions of the flange are at an elevation (i.e., height) higher than that of the central region. Having the outer regions higher than the central region urges cargo towards the central region of the flange.

Galer describes a sliding window assembly for a vehicle. The assembly includes a fixed pane 12 with an open portion formed generally in the central portion of the fixed pane. A sliding pane is adapted to slide over the open portion for opening and closing open portion. Rails 16 and 18, generally comprising a U-shaped channel (i.e. from a cross section view as depicted in Fig. 3), provide support of the sliding pane for horizontal movement. Both rails 16 and 18 are linear as the rails extend horizontally across a majority of the fixed pane. Since the rail 18 is horizontal, the outer portions of the rail 18 cannot extend to a higher elevation (i.e., height) than the central region of the rail 18 in Galer.

In addition, as can be seen from Figs. 1 and 2 of Galer, the rail 18 is lower than the fixed pane 12. Fig. 1, of Galer, shows an exterior view of the fixed pane. The opening 15 is formed in the fixed portion. As a result, the outer edge of the opening, as shown in Fig. 1, is part of the fixed pane (i.e., glass). Fig. 2 illustrates an interior view of the fixed pane 12. The sliding pane

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14 is supported by the horizontal rails 16 and 18. Horizontal rail 18 is lower in elevation (i.e., height) than the bottom edge of the fixed pane 12. When the sliding pane 14 is open and cargo is extended through the opening 15, the cargo will contact the bottom edge of the fixed pane since the it is higher in height than rail 18. As a result, the rail 18, in Galer, neither functions nor provides the benefit of preventing contact between cargo extending through the opening and the bottom edge of the fixed pane. Galer does not anticipate claim 1. Therefore claim 1 is allowable.

Claims 3-5, 7, 9, 10, and 12 depend from claim 1 and are therefore allowable.

Claims 15 and 16 recite a window assembly having a flange attached to a lower region of the window and being at an elevation high relative to the bottom edge of the window opening to prevent contact between cargo extending through the opening and the bottom edge of the window opening. In addition, the flange is substantially a same length as the bottom edge of the window.

As described earlier, Galer does not describe or show a flange that is higher in height than the bottom edge of the window opening. Furthermore, since the flange is substantially a same length as the bottom edge of the opening, the flange is not a supporting component of the sliding window as is the rail in Galer. If the flange, as recited in claims 15 and 16, were supporting members for the sliding pane, the sliding pane would fall from the flange as it is extended sideways to the open position since there would be no underlying support for the sliding window when in the open position. Since Galer neither describes nor shows a flange that is higher than the bottom edge of the window nor a flange that is non-supporting member of the sliding pane, claims 15 and 16 are allowable.

In view of the foregoing amendment and remarks, all pending claims are in condition for allowance. Favorable action is respectfully solicited.

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Respectfully submitted,

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